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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/378,648	08/20/1999	ARIANNE THERESE HINDS	BO9-99-032	9387

7590

04/15/2003

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EXAMINER

CARTER, TIA A

ART UNIT

PAPER NUMBER

2622

DATE MAILED: 04/15/2003

Please find below and/or attached an Office communication concerning this application or proceeding.



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Office Action Summary

Application No.

09/378,648

Applicant(s)

HINDS ET AL.

Examiner

Tia A Carter

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on _____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) _____ is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 6, 7, 14-17, 20, 21 and 28-30 is/are rejected.
- 7) ☒ Claim(s) 4-5, 8-13, 18-19, 22, 27, 31-32, 35-40 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 August 1999 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input checked="" type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>2</u> . | 6) <input type="checkbox"/> Other: |

DETAILED ACTION

Drawings

1. The drawings are objected to by the Draftsperson under 37 CFR 1.84(g) for the reasons indicated on the Notice of Draftsperson's Patent Drawing Review submitted with this non-final office action. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 3 14, 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Falk (US. 5760913) in view of Wang (US. 5854882).

Regarding claim [1], Falk discloses a method for managing calibration files in a printing system, comprising:

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Wang discloses printing patches using a screening algorithm and incorporating at least one output appearance factor (Figs. 2-3, col. 8, lines 30-65; fig. 5, col. 9, lines 53-67).

Falk discloses generating a calibration from measured color values of the printed patches mapping a color space for the printed patches to a color space of a printer used to print the patches (Fig. 1, col. 4, lines 35-58).

Falk disclose associating information with the calibration file indicating the printer and at least one output appearance attribute for the use in selecting one calibration file to use when printing a print job (fig. 1, col. 3, lines 55-65; fig. 6, col. 6, lines 5-65). The prior art used system is designed for the non-specific printer model.

It would have been obvious to one skilled in the art at the time of the invention to modify Falk wherein gray scale image processes are used to correct image defects and to adjust image to user desired output.

Therefore, it would have been obvious to one skilled in the art at the time of the invention to combine Wang and Falk to achieve the limitations set forth in claim 1.

Regarding claim [3], Faulk disclose the method of claim 1, wherein the at least one output appearance factor is a member of a set of printing variables consisting of: toner, paper type, environmental factors, desired output, and target printer to emulate (fig. 2, col. 4, lines 12-38).

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Regarding claim [14], Falk discloses a system for managing calibration files in a printing system, comprising:

Falk discloses a computer system (fig. 1, col. 3, lines 39-41).

Falk discloses a printer in communication with the computer (fig. 1, col. 3, lines 42-43)

Falk discloses a storage device accessible to the computer system (fig. 1, col. 3, lines 45-46);

Falk discloses program logic implemented within the computer (fig. 1, col. 3, lines 47-54), comprising:

Wang discloses means for printing patches using a screening algorithm and incorporating at least one output appearance factor (Figs. 2-3, col. 8, lines 30-65; fig. 5, col. 9, lines 53-67).

Falk discloses means for generating a calibration from measured color values of the printed patches mapping a color space for the printed patches to a color space of a printer used to print the patches (Fig. 1, col. 4, lines 35-58).

Falk disclose means for associating information with the calibration file indicating the printer and at least one output appearance attribute for the use in selecting one calibration file to use when printing a print job (fig. 1, col. 3, lines 55-65; fig. 6, col. 6, lines 5-65). The prior art used system is designed for the non-specific printer model.

Falk discloses means for storing the calibration file and associated information in storage device (fig. 1, col. 3, lines 50-53).

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It would have been obvious to one skilled in the art at the time of the invention to modify Falk wherein gray scale image processes are used to correct image defects and to adjust image to user desired output.

Therefore, it would have been obvious to one skilled in the art at the time of the invention to combine Wang and Falk to achieve the limitations set forth in claim 14.

Regarding claim [17], Faulk disclose the system of claim 14, wherein the at least one output appearance factor is a member of a set of printing variables consisting of: toner, paper type, environmental factors, desired output, and target printer to emulate (fig. 2, col. 4, lines 12-38).

Regarding claim [28], Falk discloses an article of manufacture for use in managing calibration files in a printing system, the article of manufacture comprising computer usable media including at least one computer program embedded therein that causes the computer to perform (fig. 1, col. 3, lines 38-65):

Falk **does not discloses** printing patches using a screening algorithm and incorporating at least one output appearance factor.

Wang **discloses** printing patches using a screening algorithm and incorporating at least one output appearance factor (Figs. 2-3, col. 8, lines 30-65; fig. 5, col. 9, lines 53-67).

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Falk discloses generating a calibration from measured color values of the printed patches mapping a color space for the printed patches to a color space of a printer used to print the patches (Fig. 1, col. 4, lines 35-58).

Falk disclose associating information with the calibration file indicating the printer and at least one output appearance attribute for the use in selecting one calibration file to use when printing a print job (fig. 1, col. 3, lines 55-65; fig. 6, col. 6, lines 5-65). The prior art used system is designed for the non-specific printer model.

It would have been obvious to one skilled in the art at the time of the invention to modify Falk wherein gray scale image processes are used to correct image defects and to adjust image to user desired output.

Therefore, it would have been obvious to one skilled in the art at the time of the invention to combine Wang and Falk to achieve the limitations set forth in claim 28.

Regarding claim [30], Faulk disclose the article of manufacture of claim 28, wherein the at least one output appearance factor is a member of a set of printing variables consisting of: toner, paper type, environmental factors, desired output, and target printer to emulate (fig. 2, col. 4, lines 12-38).

4. Claims 2, 6-7, 16, 20-21, 29, and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Falk (US. 5760913) and Wang (US. 5854882) in view of Lee et al. (US. 6266155).

Regarding claim [2], Falk discloses the method of claim 1.

Faulk **does not disclose** wherein the associated printer information indicates the name of the screening algorithm used in generating the calibration file.

Lee et al. **disclose** wherein the associated printer information indicates the name of the screening algorithm used in generating the calibration file (fig. 2B, col. 4, lines 24-48).

It would have been obvious to one skilled in the art at the time of the invention to modify Falk wherein the process used is identified for later calibration updates.

Therefore, it would have been obvious to one skilled in the art at the time of the invention to combine Lee et al. with Falk and Wang to achieve the limitations set forth in claim 2.

Regarding claim [6], Falk disclose the method of claim 1, further comprising:

Falk **does not disclose** generating the print job comprising a gray scale image.

Lee et al. **disclose** generating the print job comprising a gray scale image (fig. 3, col. 4, lines 49-67).

Falk **does not disclose** associating output appearance and printer attribute information with the print job for use in selecting one calibration file to use to calibrate the gray scale image when printing the print job.

Lee et al. **disclose** associating output appearance and printer attribute information with the print job for use in selecting one calibration file to use to calibrate the gray scale image when printing the print job (figs. 4-5, col. 5, lines 1-32).

It would have been obvious to one skilled in the art at the time of the invention to modify Falk wherein gray scale image processes are used to correct image defects and to adjust image to user desired output.

Therefore, it would have been obvious to one skilled in the art at the time of the invention to combine Lee et al. with Falk and Wang to achieve the limitations set forth in claim 6.

Regarding claim [7], Falk discloses the method of claim 6, wherein selecting one calibration file comprises selecting one calibration file having associated output appearance and printer information indicating compatibility with the printer and output appearance information associated with the print job (fig. 4, col. 9, lines 26-46).

Regarding claim [16], Falk discloses the system of claim 14.

Faulk **does not disclose** wherein the associated printer information indicates the name of the screening algorithm used in generating the calibration file.

Lee et al. **disclose** wherein the associated printer information indicates the name of the screening algorithm used in generating the calibration file (fig. 2B, col. 4, lines 24-48).

It would have been obvious to one skilled in the art at the time of the invention to modify Falk wherein the process used is identified for later calibration updates.

Therefore, it would have been obvious to one skilled in the art at the time of the invention to combine Lee et al. with Falk and Wang to achieve the limitations set forth in claim 16.

Regarding claim [20], Falk disclose the system of claim 14, further comprising:

Falk **does not disclose** generating the print job comprising a gray scale image.

Lee et al. **disclose** generating the print job comprising a gray scale image (fig. 3, col. 4, lines 49-67).

Falk **does not disclose** associating output appearance and printer attribute information with the print job for use in selecting one calibration file to use to calibrate the gray scale image when printing the print job.

Lee et al. **disclose** associating output appearance and printer attribute information with the print job for use in selecting one calibration file to use to calibrate the gray scale image when printing the print job (figs. 4-5, col. 5, lines 1-32).

It would have been obvious to one skilled in the art at the time of the invention to modify Falk wherein gray scale image processes are used to correct image defects and to adjust image to user desired output.

Therefore, it would have been obvious to one skilled in the art at the time of the invention to combine Lee et al. with Falk and Wang to achieve the limitations set forth in claim 20.

Regarding claim [21], Falk discloses the method of claim 20, wherein selecting one calibration file comprises selecting one calibration file having associated output appearance and printer information indicating compatibility with the printer and output appearance information associated with the print job (fig. 4, col. 9, lines 26-46).

Regarding claim [29], Falk discloses the article of manufacture of claim 28.

Faulk **does not disclose** wherein the associated printer information indicates the name of the screening algorithm used in generating the calibration file.

Lee et al. **disclose** wherein the associated printer information indicates the name of the screening algorithm used in generating the calibration file (fig. 2B, col. 4, lines 24-48).

It would have been obvious to one skilled in the art at the time of the invention to modify Falk wherein the process used is identified for later calibration updates.

Therefore, it would have been obvious to one skilled in the art at the time of the invention to combine Lee et al. with Falk and Wang to achieve the limitations set forth in claim 29.

Regarding claim [33], Falk disclose the article of manufacture of claim 28, further comprising:

Falk **does not disclose** generating the print job comprising a gray scale image.

Lee et al. **disclose** generating the print job comprising a gray scale image (fig. 3, col. 4, lines 49-67).

Falk **does not disclose** associating output appearance and printer attribute information with the print job for use in selecting one calibration file to use to calibrate the gray scale image when printing the print job.

Lee et al. **disclose** associating output appearance and printer attribute information with the print job for use in selecting one calibration file to use to calibrate the gray scale image when printing the print job (figs. 4-5, col. 5, lines 1-32).

It would have been obvious to one skilled in the art at the time of the invention to modify Falk wherein gray scale image processes are used to correct image defects and to adjust image to user desired output.

Therefore, it would have been obvious to one skilled in the art at the time of the invention to combine Lee et al. with Falk and Wang to achieve the limitations set forth in claim 33.

Regarding claim [34], Falk discloses the article of manufacture of claim 33, wherein selecting one calibration file comprises selecting one calibration file having associated output appearance and printer information indicating compatibility with the printer and output appearance information associated with the print job (fig. 4, col. 9, lines 26-46).

5. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Falk (US. 5760913) and Wang (US. 5854882) in view of Gregory, Jr. et al. (US. 5818960)

Regarding claim 15, Falk discloses the system of claim 14.

Falk **does not disclose** Wherein the computer system comprises a client computer and a server, wherein the client computer, server, and printer communicate using at least one network communication line, wherein the program logic implemented in the client and server to print patches on the printer, generates the calibration file, associate information with the calibration file, and store the calibration file and associated information in the storage device.

Gregory et al. **disclose** wherein the computer system comprises a client computer and a server, wherein the client computer, server, and printer communicate using at least one network communication line, wherein the program logic implemented in the client and server to print patches on the printer, generates the calibration file, associate information with the calibration file, and store the calibration file and associated information in the storage device (fig. 1, col. 3, lines 27-67; col. 4, lines 1-60).

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It would have been obvious to one skilled in the art at the time of the invention to modify Falk wherein the apparatus used in Falk has the capabilities to communicate with multiple devices via a network allowing print job calibration from system other than the one user operation system.

Therefore, it would have been obvious to one skilled in the art at the time of the invention to combine Gregory, Jr. et al. with Falk and Wang to achieve the limitations set forth in claim 15.

Claim Objections

6. Claims 4-5, 8-13, 18-19, 22-27, 31-32, and 35-40 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Knox et al. (US. 5649073, Sherman et al. (US. 5537516), Rolleston et al. (US. 5416613), Decker et al. (US. 6137596), Naoi (US. 6351263), Sobol (US. 5185673), Spence (US. 5333069), Kotlow (US. 6421620), Cooper et al. (US.

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6512597), and Brossman et al. (US. 6498661) are cited to show related art with respect to calibration file and output adjustments.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tia A Carter whose telephone number is 703 - 306-5433. The examiner can normally be reached on M-F (9:30-6:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L Coles can be reached on 703-305-4712. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-6036 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-6056.

Tia A Carter
Examiner
Art Unit 2622

TAC
March 23, 2003


EDWARD COLES
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600